

CITY ORDINANCE NO. CO-034-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION IN THE AMOUNT OF \$3,100,000 FOR THE ACADIANA FIBER OPTICS INFRASTRUCTURE IMPROVEMENT PROJECT, AMENDING THE FY 20/21 OPERATING BUDGET OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT BY INCREASING REVENUES IN THE AMOUNT OF \$3,100,000 IN GRANT FUNDS RECEIVED, RECOGNIZING AND APPROPRIATING SAID GRANT FUNDS, ALONG WITH AN APPROPRIATION OF REQUIRED MATCHING FUNDS IN THE AMOUNT OF \$778,890, WITHIN THE COMMUNICATION SYSTEM DEPARTMENT, AUTHORIZING AND DIRECTING THE LAFAYETTE MAYOR-PRESIDENT TO ENTER INTO AND SIGN ANY AND ALL CONTRACTS AND OTHER DOCUMENTS NECESSARY, INCIDENTAL, CONVENIENT, OR DESIRABLE TO PROVIDE FOR THE RECEIPT AND EXPENDITURE OF SAID GRANT FUNDS IN ACCORDANCE WITH THE TERMS OF SAID GRANT, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER, THROUGH THE LAFAYETTE MAYOR-PRESIDENT, TO MAKE ADMINISTRATIVE BUDGET REVISIONS TO COMPLY WITH THE REQUIREMENTS OF THIS ORDINANCE

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Lafayette City-Parish Consolidated Government, through its Communication System Department d/b/a "LUS Fiber," has been awarded a grant in the amount of \$3,100,000 from the Economic Development Administration of the United States Department of Commerce for the Communication System Department to expand its fiber plant through the Acadiana Fiber Optics Infrastructure Improvement Project (the "Grant"); and

WHEREAS, the Lafayette City-Parish Council, in its capacity as the governing authority of the Communication System Department, now desires to provide for the acceptance of the Grant, to provide for the appropriation of Grant funds within the Communication System Department, for the appropriation of matching funds required by the terms of the Grant, and for the execution of the Grant and any related documents.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: The "Whereas" clauses in the preamble of this ordinance are adopted as part of this ordinance.

SECTION 2: The Grant is hereby accepted.

SECTION 3: The FY 20/21 operating budget of the Lafayette City-Parish Consolidated Government is hereby amended by increasing revenues in the amount of \$3,100,000 received from the Grant, by transferring matching funds in the amount of \$778,890, and appropriating within the Communication System Department.

SECTION 4: The Chief Financial Officer, through the Lafayette Mayor-President, is authorized to prepare administrative budget revisions to comply with the requirements of this ordinance.

SECTION 5: The Lafayette Mayor-President, or his designee, is authorized and directed to conduct all negotiations and to enter into and sign any and all contracts and other documents necessary, incidental, convenient, or desirable to provide for the acceptance of the Grant, the receipt and expenditure of Grant funds in accordance with the terms of the Grant, the execution of the Grant, and the completion of the project(s) envisioned by the Grant.

SECTION 6: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall become effective immediately upon the signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

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UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Austin Regional Office
903 San Jacinto Blvd., Suite 206
Austin, Texas 78701-2450

In Reply to
Investment No.: 08-79-05438

February 25, 2021

The Honorable Josh Guillory
Mayor-President
Lafayette City Parish Consolidated Government
DBA: LUS Fiber
700 St. John, Suite 300
Lafayette, LA

Dear Mayor Guillory:

I am pleased to inform you that the Department of Commerce's Economic Development Administration (EDA) has approved the LUS Fiber application for a \$3,100,000 EDA investment to complete the Acadiana Fiber Optics Infrastructure Improvement Project.

Enclosed is the Financial Assistance Award. To accept the grant award, please sign the Financial Assistance Award document. Your signature may be completed either electronically with a secured system or in ink. The executed document must be returned electronically to Patricia Shorter at pshorter@eda.gov. Your signature indicates your acceptance of the terms and conditions for the grant award. If not signed and returned within 30 days of receipt, EDA may declare the Award null and void."

Please do not make any commitments in reliance on this award until you have carefully reviewed and accepted the terms and conditions. Any commitments entered into prior to obtaining the approval of EDA in accordance with its regulations and requirements will be at your own risk.

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA implements this mission by making strategic investments in the nation's most economically distressed regions that encourage private sector collaboration and the creation of jobs. EDA investments are results driven, embracing the principles of technological innovation, entrepreneurship and regional development.

I share your expectations regarding the impact of this investment and look forward to working with you to meet the economic development needs of your community.

Sincerely,

Jorge D. Ayala
Regional Director

Enclosures

cc: Acadiana Planning Commission

CITY COUNCIL MEETING
AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** An ordinance of the Lafayette City Council authorizing the acceptance of grant funds from the United States Department of Commerce Economic Development Administration in the amount of \$3,100,000 for the Acadiana Fiber Optics Infrastructure Improvement Project, amending the FY 20/21 operating budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$3,100,000 in grant funds received, recognizing and appropriating said grant funds, along with an appropriation of required matching funds in the amount of \$778,890, within the Communication System Department, authorizing and directing the Lafayette Mayor-President to enter into and sign any and all contracts and other documents necessary, incidental, convenient, or desirable to provide for the receipt and expenditure of said grant funds in accordance with the terms of said grant, and authorizing the Chief Financial Officer, through the Lafayette Mayor-President, to make administrative budget revisions to comply with the requirements of this ordinance.
- 2) **ACTION REQUESTED:** Adoption of ordinance
- 3) **REQUESTED ACTION OF LAFAYETTE CITY-PARISH COUNCIL:**
A) INTRODUCTION: 03-09-2021
B) FINAL ADOPTION: 03-23-2021
- 4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
A) Ordinance
B) Submittal Form
- 5) **FISCAL IMPACT:**
_____ Fiscal Impact (Explain)

_____ **X** _____ No Fiscal Impact

AUTHORED BY:

/s/ Liz Hebert
LIZ HEBERT, DISTRICT 3
LAFAYETTE CITY COUNCIL

/s/ Josh Guillory
JOSH GUILLORY
MAYOR-PRESIDENT

DISPOSITION OF ORDINANCE NO. CO-034-2021

1. This ordinance was introduced: March 9, 2021
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
- Final disposition by Council: _____, 2021
YEAS:
NAYS:
ABSENT:
ABSTAIN:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on March 12, 2021.
3. This ordinance was presented to the Mayor-President for approval on _____, 2021, at _____ o'clock ____m.

CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
- I hereby:
- A. Approve this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m.
- B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ____m., veto message is attached.

MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on _____, 2021, at _____ o'clock ____m.
6. Reconsideration by Council (if vetoed):
- On _____, 2021, the Council did/refused to adopt this ordinance after the Mayor-President's veto.
7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2021, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on _____, 2021.